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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,086	03/25/2004	Osamu Hikita	36607	7675
116	7590	12/16/2004	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			OLIVA, CARMELO B	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/809,086

Applicant(s)

HIKITA ET AL.

Examiner

Carmelo Oliva

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/25/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Clarke et al. (US 5,139,850).

Regarding claim 1, Clarke et al. discloses an electromagnetic comprising the steps of:

a first step of providing a conductive shielding layer 3,4 having a visible light transmitting property on a surface a window face member 2 having an electrical insulating property and a visible light transmitting property;

a second step of laminating a cushioned conductive adhesive tape (with layer 4, col. 5, lines 48-50) by using said insulation adhesive layer to a rim portion said window

Art Unit: 2831

face member provided with said conductive shielding layer in such a manner that predetermined areas thereof oppose each other, and the same time,

fixing said window face member 2 provided with said conductive shielding layer and laminated with said conductive tape by bringing into close adhesion to a conductive window frame member 10 through an insulation layer, wherein a sectional plan of said window frame member shapes approximate horseshoe having integral and almost similarly cross section; and

a third step of inducing electrostatic-capacitance couplings inherently through the structure as shown between said conductive shielding layer and said conductive tape and between said conductive shielding layer and said window frame member.

Regarding claim 2, Clarke et al. discloses an electromagnetic wave shielding window comprising:

a window face member 2 having an electrical insulating property and a visible light transmitting property;

a conductive shielding layer 3,4 laminated to a surface of said window face member and having a visible light transmitting property; and

a conductive window frame 10 member to which said window face member provided with said conductive shielding layer brought into close adhesion and thereby fixed through an insulation layer provided to a rim portion of said window face member,

wherein a sectional plan of said window frame member shapes approximate horseshoe having integrally and almost similarly cross section,

wherein, by using an insulation adhesive, a cushioned conductive tape (with layer 4, col. 5, lines 48-50) placed next to said insulation layer at said rim portion said window face member provided with said conductive shielding layer in such a manner that predetermined areas thereof on said rim portion oppose each other.

Regarding claim 3, wherein said insulation layer (with layer 4, col. 5, lines 48-50) includes at least one of said window face member and an insulative surface layer formed on a surface of said window frame member.

Regarding claim 4, wherein said conductive tape is laminated to form a U-shaped cross section.

Regarding claim 5, wherein said conductive shielding layer pinched between a pair of said window face members 2,9.

Regarding claim 6, wherein said conductive shielding layer 3,4 is provided on only one surface of said window face member.

Regarding claim 7, wherein a protection sheet 8 for said conductive shielding layer is laminated to an outside surface of said window face member on a side where said conductive shielding layer is provided.

Regarding claim 8, wherein said conductive shielding layer is a net- like sheet member 4 made of conductive fibers or fibers whose surfaces are coated with a conductive material (col. 5, lines 24-29).

Regarding claim 9, wherein said conductive shielding layer a film- like sheet member 3 having a conductive thin-film layer (col. 5, lines 24-29).

Art Unit: 2831


Regarding claims 10-12, the transparent shielding panel can be used in any instance where electromagnetic shielding is needed through a window, including a manufacturing apparatus, a transport system and a building construction.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 4,732,454; US 5,885,714; US 6,049,037; US 6,229,085 all show electromagnetic shielding windows.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carmelo Oliva whose telephone number is (571)272-1982. The examiner can normally be reached flexible hours on Monday through Friday with every other Wednesday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard, can be reached at (571)272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

 12/13/04
DEAN A. REICHARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800